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JB.
10-23-00

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SAMUEL MARC,

Petitioner

v.

IMMIGRATION AND
NATURALIZATION SERVICE,

Respondent

CIVIL ACTION NO. 1:CV-00-1828

(Judge Caldwell)

(Magistrate Judge Blewitt)

FILED
SCRANTON

OCT 23 2000

PER

DEPUTY CLERK

ORDER

AND NOW, this 23rd day of October, 2000, IT IS HEREBY ORDERED THAT:

1. Petitioner's habeas corpus petition, which has been docketed as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, is construed as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Clerk of Court is directed to note the docket of this case accordingly.
2. Petitioner's request to proceed in forma pauperis (Doc. 2) is **GRANTED**.
3. The Clerk of Court is directed forthwith to serve a copy of the Petition (Doc. 1), together with this Order, by certified mail on the Respondent.
3. Respondent shall show cause within twenty (20) days of the date of this Order why the petitioner should not be granted habeas corpus relief;
4. A determination as to whether or not the petitioner shall be produced for a hearing will be held in abeyance pending the filing of a response; and

5. Petitioner shall, if he so desires, file a reply to the response to the show cause order within ten (10) days of its filing.

A handwritten signature in black ink, appearing to read 'Thomas M. Blewitt', is written over a horizontal line.

THOMAS M. BLEWITT
United States Magistrate Judge

Dated: October 23, 2000

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

October 23, 2000

Re: 1:00-cv-01828 Marc v. INS

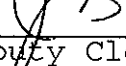
True and correct copies of the attached were mailed by the clerk
to the following:

Samuel Marc
CTY-YORK
York County Prison
3401 Concord Road
York, PA 17402

cc:	
Judge	()
Magistrate Judge	()
U.S. Marshal	()
Probation	()
U.S. Attorney	()
Atty. for Deft.	()
Defendant	()
Warden	()
Bureau of Prisons	()
Ct Reporter	()
Ctroom Deputy	()
Orig-Security	()
Federal Public Defender	()
Summons Issued	() with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()
Order to Show Cause	() with Petition attached & mailed ^{vs atty} certified mail to: US Atty Gen (✓) PA Atty Gen () DA of County () Respondents (✓)
Bankruptcy Court	()
Other _____	()

MARY E. D'ANDREA, Clerk

DATE: 10/23/00

BY: 
Deputy Clerk